



UNITED STATES PATENT and TRADEMARK OFFICE

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In re Application of	:	DECISION ON RENEWED
HELLSTROM et al	:	
Application No. 10/581,761	:	
PCT No.: PCT/SE2004/001814	:	
Int. Filing Date: 06 December 2004	:	
Priority Date: 05 December 2003	:	PETITION UNDER
Attorney's Docket No.: 0208/76419-PCT-US	:	
For: METHOD OF USE...	:	
METHOD OF USE THEREOF	:	37 CFR 1.137 (b)

This decision is in response to applicants' "Renewed Petition Under 37 CFR 1.137(b)," filed on 02 June 2008.

**BACKGROUND**

In a decision from this Office on 06 May 2008, the petition filed on 10 April 2008 was dismissed because the reply was not proper since the computer readable form of the Sequence Listing was flawed.

On 02 June 2008, petitioners filed a paper and another computer readable form of the Sequence Listing for this application.

**DISCUSSION**

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application; (2) the petition fee as set forth in § 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section.

Petitioner has provided: (1) the proper reply by submitting a proper computer readable Sequence Listing, (2) the petition fee set forth in § 1.17(m) and (3) the proper statement under 137(b)(3). In this application, no terminal disclaimer is required.

Accordingly, the petition is deemed to satisfy requirements (1), (2), (3), and (4) under 37 CFR 1.137(b).

**DECISION**

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing. The 35 USC 371(c)(1), (c)(2) and (c)(4) date of this application is **10 April 2008**.



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